

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

Case No.: 3:97CR-00143-003(DRD)

MANUEL SEIN-EGIPSIACO

A.K.A. "Mangue"

*** * * * ***

MOTION FOR SOME DISPOSITION

**TO THE HONORABLE DANIEL R. DOMINGUEZ
UNITED STATES DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

**COMES NOW, Benjamín Bonilla, United States Probation Officer of this Honorable
Court and respectfully informs and prays as follows:**

1. On May 31, 2000 Mr. Sein-Egipsiaco was sentenced by Your Honor to serve a thirty-seven (37) month imprisonment term on count one (1) of the indictment and sixty (60) month imprisonment term on count two (2) of the indictment, to be followed by a supervised release term of three (3) year for a violation of Title 18 United States Code, §§ 2113(a) & 2 and 924(c)(1) and

2. Besides the standard conditions of the supervised release, the offender was ordered to provide financial disclosure and pay a special monetary assessment in the sum of \$200. In addition, he was ordered to pay a restitution in the sum \$96,055.00, during his term of supervision. On July 15, 2004, the offender was released from custody at which time he commenced the supervised release term imposed.

3. Since released on supervision, Mr. Sein-Egipsiaco has complied with his conditions and reporting instructions. He has remained employed earning approximately \$600 per/month. Throughout supervision the offender has demonstrated consistent good will payments towards his financial obligation.

4. On June 5, 2007, Mr. Sein-Egipsiaco requested additional time to pay the outstanding balance of the restitution.

5. On July 5, 2007, the offender's case was discussed with Assistant United States Attorney Rebecca Vargas, Financial Litigation Unit Legal Advisor, who informed that in accordance with Title 18, United States Code, § 3613(b) the Mandatory Victims Restitution Act has a 20-year post sentence enforceability limit.

6. Mr. Sein-Egipsiaco's term of supervision is due to expire *on July 14, 2007*, and we anticipate that the offender will not be able to satisfy the imposed restitution by then.

7. Consequently, in order to assist the offender to meet his court imposed financial obligation, we hereby recommend that the responsibility of the restitution collection be transferred to the Assistant United States Attorney's Office Financial Litigation Unit.

8. The United States Probation Office will notify the offender that in accordance with Title 18 United States Code § 3572(d)(3) he will be required to notify the court of any material change in his financial condition that might affect his ability to pay the restitution. Upon receipt of such notice the Court may, on its own motion or the motion of any of the interested parties, adjust the payment schedule, or require immediate payment in full, as the interests of justice requires.

9. The United States Probation Office will additionally inform the offender of the requirement set forth in Title 18 United States Code § 3612(f)(3) which states that any payment plan imposed will require that he keep the Government informed of his current address and of any financial changes. Furthermore, he will be subject of periodic financial reviews in order to assess his fiscal situation.

10. On July 5, 2007, the United States Probation Office presented its' recommendation to Assistant United States Attorney Rebecca Vargas, Financial Litigation Unit 's Legal Advisor, who indicated having no objections to the petition.

Wherefore, in view of the aforementioned, the United States Probation Office is recommending to the Court that the responsibility of the collection of the outstanding balance of restitution still owed by the offender be transferred to the Assistant United States Attorney's Financial Litigation Unit so that the case can be closed per the original date of expiration, **July 14, 2007**.

In San Juan, Puerto Rico, this **6th day of July, 2007**.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Benjamin Bonilla

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CERTIFICATE OF SERVICE

I HEREBY certify that on **July 6, 2007**, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Assistant United States Attorney Jose Ruíz, Esq., and Jorge Diaz-Reverón, Esq..

In San Juan, Puerto Rico, this **6th day of July, 2007**.

s/Benjamin Bonilla

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